

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR NON-JUDICIAL NOMINEES

PUBLIC

1. **Name**: State full name (include any former names used).

Stephen Elliott Boyd

2. **Position**: State the position for which you have been nominated.

Assistant Attorney General for Legislative Affairs

3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

Office of Legal Policy
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

4. **Birthplace**: State date and place of birth.

1979; Birmingham, Alabama

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

2001 – 2004, University of Alabama School of Law, Juris Doctor, 2004

1997 – 2001, University of Alabama, Bachelor of Arts, 2001

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

Chief of Staff
Office of Legal Policy
United States Department of Justice
950 Pennsylvania Avenue, N.W.

Washington, D.C. 20510
February 2017 to present

Chief of Staff
Office of U.S. Representative Martha Roby
442 Cannon House Office Building
Washington, D.C. 20515
January 2011 to February 2017

Advisor
Martha Roby for Congress
P.O. Box 195
Montgomery, Alabama 36101
Periodically from January 2011 to November 2016

Minority Staff Communications Director
U.S. Senator Jeff Sessions
Ranking Member
Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, D.C. 20510
May 2009 to December 2010
During this period, I remained on Senator Sessions' personal office payroll.

Communications Director
Office of U.S. Senator Jeff Sessions
United States Senate
326 Russell Senate Office Building (Former Address)
Washington, D.C. 20510
From 2004 to January of 2011, I served in a number of roles in the personal office of U.S. Senator Jeff Sessions, the last and most senior of which was Communications Director, a position that I held from January 2008 to January 2011. From 2004 to January 2008, my prior positions in the personal office of Senator Sessions included Press Secretary (2007), Legislative Counsel (January 2007 to April 2007), Legislative Assistant (March 2005 to January 2007), and Legislative Correspondent (October 2004 to March 2005).

Summer Associate
Boyd, Fernambucq & Dunn, P.C.
3500 Blue Lake Drive, Suite 220
Birmingham, Alabama 35243
June to August 2004

Summer Associate
Cory Watson Attorneys
2131 Magnolia Avenue South

Birmingham, Alabama 35205
June to August 2003

Summer Clerk
The Honorable William A. "Sonny" Ryan
Alabama District Court, Hale County
1001 Main Street
Greensboro, Alabama 36744
June to August 2002

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I have registered for selective service, but I have never served in the military.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

None.

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

Since graduation from law school, my professional career has focused on serving in a variety of staff capacities in the U.S. Senate and U.S. House of Representatives. I have never practiced law and therefore have never sat for a bar exam.

10. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

As noted, I have never practiced law, and I have not sat for a bar admission exam.

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

As noted, I have never practiced law, and I am not admitted to practice in any court.

11. Memberships:

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Farrah Law Society, University of Alabama School of Law (member at various times between 2004 – present)

House Chief of Staff Association (member at various times between 2011 – 2017)

Alabama State Society (member at various times between 2004 – present)

Public Relations Society of America (2014, estimated)

Mt. Vernon Place United Methodist Church (2015 – present)
Staff Parish Committee Member (2017)

The Federalist Society (2014, estimated – present)

In addition, I have made financial contributions to charitable organizations over the years. Such organizations may list me as a member by virtue of my financial contribution. I have not listed above any organizations to which I gave funds and did not otherwise participate in programmatic activities.

- b. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminate on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

To the best of my knowledge, none of the organizations listed above currently discriminates or formerly discriminated on the basis of race, sex, religion, or national origin through formal membership requirements or the practical implementation of membership policies.

12. Published Writings and Public Statements:

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

Stephen Boyd, Letter to the Editor, *Adding Context to Sessions' Question*, Mobile Press-Register, July 23, 2009. Copy supplied.

For completeness, I note that in my capacities as Chief of Staff for a member of the U.S. House of Representatives and Communications Director for a U.S. Senator, I frequently drafted, reviewed, edited, or revised text for press releases, statements, articles, and written remarks prepared for delivery. These materials were often drafted in collaboration with others, and my contribution varied depending on the circumstances. I have done my best to identify all published materials that I may have directly contributed to, including a review of my limited personal files and searches of publicly available electronic databases. In each instance, these texts were prepared for the sole use, publication, or delivery of my employer. As is typical in a Congressional office, my employer often made final revisions after my last contribution and just prior to publication, and he or she always had final approval. The editorial content of these texts represents the positions of my employer and does not necessarily reflect my own views. Despite my efforts, other materials may exist that I have been unable to locate or identify. I understand that a large volume of such materials was furnished to the Committee in connection with Senator Sessions' nomination to be Attorney General. I have attached a list of all responsive items I was able to locate or identify as Appendix A, and have attached copies of each item.

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

To the best of my knowledge, I have never prepared or contributed any such report, memorandum, or statement.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

To the best of my knowledge, I have never issued or provided any such testimony or statement.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom

the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

July 11, 2011. Panelist: "Living and Working in Washington, DC," The Blackburn Institute, Washington, D.C. I do not have a copy of any speech or talk, nor do I have a transcript or recording of my remarks or any notes from this presentation. This forum discussed public service opportunities in Washington, D.C. for graduating honor students from the University of Alabama. The address for the Blackburn Institute is 751 Campus Drive #2400, Tuscaloosa, Alabama, 35487.

July 2013 (Est.). Panelist: "Living and Working in Washington, DC," The Blackburn Institute, Washington, D.C. I do not have a copy of any speech or talk, nor do I have a transcript or recording of my remarks or any notes from this presentation. This forum discussed public service opportunities in Washington, D.C. for graduating honor students from the University of Alabama. The address for the Blackburn Institute is 751 Campus Drive #2400, Tuscaloosa, Alabama, 35487.

In my capacity as Chief of Staff for a member of the U.S House of Representatives, I frequently represented my employer at various events and occasionally provided brief extemporaneous remarks to meeting participants, visitors, stakeholders, or interested persons. I generally provided information about our congressional office and an update on the various legislative issues of the day. I have no record of the specific dates of those remarks. I do not have any notes, transcripts, or recordings.

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

Inside Congress: Alabama to DC, Public Broadcasting System and Alabama Public Television, 2016. Interviews and filming for this documentary occurred at various times throughout 2016. Video of the final 30-minute documentary can be accessed online at <http://www.pbs.org/video/2365954809/>.

Telephone Interview with Howard Koplowitz, Reporter, al.com, Dec. 28, 2016. A copy of the resulting news article is attached.

For completeness, I note that in my capacities as Chief of Staff for a member of the U.S. House of Representatives and Communications Director for a U.S. Senator, I frequently represented my employer and communicated his or her positions and views to members of the media. I have done my best to identify all published materials that may have resulted from these interactions, including a

review of my limited personal files and searches of publicly available electronic databases. The ideas expressed in these comments represent the positions of my employer and do not necessarily reflect my own views. Despite my efforts, other materials may exist that I have been unable to locate or identify. I have attached a list of all responsive items I was able to locate or identify as Appendix B, and have attached copies of each item.

13. Public Office, Political Activities and Affiliations:

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

I have never held public office.

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

I have never worked for a political party.

I served as an advisor in my personal capacity to U.S. Representative Martha Roby in her various political activities and during her primary and general campaigns for the 2012, 2014, and 2016 election cycles. I served as an informal advisor in a volunteer capacity to Mrs. Roby in the final weeks of her 2010 general election campaign.

I assisted at various times on a voluntary basis in my personal capacity with then-Senator Jeff Sessions' 2008 general election campaign.

I assisted on a voluntary basis in my personal capacity with Senator Bob Corker's Senate campaign in the final weeks of the 2006 general election.

14. Legal Career: Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:
 - i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I have not served as a clerk to a judge since graduating from law school.

- ii. whether you practiced alone, and if so, the addresses and dates;

I have never practiced law.

- iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

June to August 2004
Summer Associate
Boyd, Fernambucq & Dunn, P.C.
3500 Blue Lake Drive, Suite 220
Birmingham, Alabama 35243

2004 – 2011
Various Positions
Office of U.S. Senator Jeff Sessions
326 Russell Senate Office Building (Former Address)
Washington, D.C. 20510
From 2004 to January of 2011, I served in a number of roles in the personal office of U.S. Senator Jeff Sessions, the last and most senior of which was Communications Director, and which position I held from January 2008 to January 2011. From 2004 to January 2008, my prior positions in the personal office of Senator Sessions included Press Secretary (2007), Legislative Counsel (January 2007 to April 2007), Legislative Assistant (March 2005 to January 2007), and Legislative Correspondent (October 2004 to March 2005).

May 2009 – December 2010
Minority Staff Communications Director
Senator Jeff Sessions
Ranking Member
Committee on the Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, D.C. 20510

2011 – 2017
Chief of Staff
Office of U.S. Representative Martha Roby
442 Cannon House Office Building
Washington, D.C. 20515

2017 – present
Chief of Staff

Office of Legal Policy
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20510

- iv. Whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have never served as a mediator or arbitrator in any alternative dispute resolution proceeding.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.

Since graduating from law school, my professional career has focused on serving in a number of staff capacities in the U.S. House of Representatives and the U.S. Senate. I have never practiced law.

- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

Since graduating from law school, my professional career has focused on serving in a number of staff capacities in the U.S. House of Representatives and the U.S. Senate. I have never practiced law.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

- i. Indicate the percentage of your practice in:

1. federal courts: _____%
2. state courts of record: _____%
3. other courts: _____%
4. administrative agencies: _____%

- ii. Indicate the percentage of your practice in:

1. civil proceedings: _____%
2. criminal proceedings: _____%

Since graduating from law school, my professional career has focused on serving in a number of staff capacities in the U.S. House of Representatives and the U.S. Senate. I have never practiced law.

- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

i. What percentage of these trials were:

1. jury: _____%
2. non-jury: _____%

Since graduating from law school, my professional career has focused on serving in a number of staff capacities in the U.S. House of Representatives and the U.S. Senate. I have never practiced law.

- e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

Since graduating from law school, my professional career has focused on serving in a number of staff capacities in the U.S. House of Representatives and the U.S. Senate. I have never practiced law.

15. **Litigation**: Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
- b. the name of the court and the name of the judge or judges before whom the case was litigated; and
- c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.

Since graduating from law school, my professional career has focused on serving in a number of staff capacities in the U.S. House of Representatives and the U.S. Senate. I have never practiced law. In lieu of the ten requested litigated matters, I am pleased to supply the following professional references.

The Honorable Martha D. Roby
Member, United States House of Representatives

442 Cannon House Office Building
Washington, D.C. 20510

The Honorable Joel F. Dubina
Senior U.S. Circuit Judge
United States Courts of Appeals for the Eleventh Circuit
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

Rick Dearborn
Deputy Chief of Staff for Legislative Affairs
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Brian Benczkowski
Kirkland & Ellis, LLP
655 Fifteenth Street, N.W.
Washington, D.C. 20005

Alan Hanson
Acting Assistant Attorney General
Office of Justice Programs
United States Department of Justice
810 Seventh Street, N.W.
Washington, D.C. 20531

Ryan Newman
Acting Assistant Attorney General
Office of Legal Policy
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Prim Escalona
Deputy Assistant Attorney General
Office of Legal Policy
United States Department of Justice
950 Pennsylvania Avenue
Washington, D.C. 20530

Joel Williams
District Director
Office of Representative Martha Roby (AL-02)
217 Graceland Drive, Suite 5
Dothan, Alabama 36305

Jeff Wood
Acting Assistant Attorney General
Environment and Natural Resources Division
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Matt Minor
Morgan Lewis
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Michael Davis
Balch & Bingham, LLP
1901 Sixth Avenue North, Suite 1500
Birmingham, Alabama 35203

Leroy Nix
Southern Company
601 Pennsylvania Avenue, N.W., Suite 800
Washington, D.C. 20004

16. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

Since graduating from law school, my professional career has focused on serving in a number of staff capacities in the U.S. House of Representatives and the U.S. Senate. As noted, I have never practiced law.

Since February of 2017, I have served as Chief of Staff for the Office of Legal Policy at the U.S. Department of Justice. In that role, I assist the Acting Assistant Attorney General, manage the office's professional staff, and handle a range of transitional, personnel, and administrative matters. Additionally, I have assisted in the vetting process for potential federal judicial nominees, and I have helped establish a Regulatory Task Force that will evaluate existing Department of Justice regulations to identify those that are outdated, duplicative, or unduly burdensome.

From 2011 to February of 2017, I served as Chief of Staff to Representative Martha Roby (AL-02) in the U.S. House of Representatives. In that position, I led a team of 16 professional staff members, managed the administration of four offices, and served as the

Representative's top advisor, providing counsel on a wide range of legislative, communications, and political matters. My specific areas of focus included defense policy, the judiciary, and federal appropriations. Among other initiatives, I personally led legislative and oversight projects to prevent the closure of an important military unit, reform federal labor laws, and investigate whistleblower complaints of mismanagement and medical negligence within the Department of Veterans Affairs.

From 2004 to 2011, I served in a number of roles in the personal office of U.S. Senator Jeff Sessions, the last and most senior of which was Communications Director. In that position, I served as the senator's spokesperson, directed all aspects of communications activities in the office, and executed various senior staff management responsibilities. (Communications Director, January 2008 – January 2011) During the period in which Senator Sessions was Ranking Member of the Senate Committee on the Judiciary, I remained on Senator Sessions' personal staff but also served as the Communications Director of the minority committee staff. (Minority Staff Communications Director, May 2009 – December 2010) Previously, I served in the role of Press Secretary, where I represented the senator on a day-to-day basis with the media. (Press Secretary, 2007) Prior to handling communications, I served as a legislative and policy aide, where I was assigned tasks typical for congressional staff, including monitoring environmental, energy, and appropriations issues, reviewing outgoing office correspondence, engaging with constituents, tracking legislation, and providing general assistance to the senator. (Legislative Counsel, January 2007 – April 2007; Legislative Assistant, March 2005 – January 2007). My first job in the office was Legislative Correspondent, a junior position that manages constituent correspondence. (Legislative Correspondent, October 2004 – March 2005)

17. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

I have never taught an academic course.

18. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

I do not anticipate receiving any future receipts from any such source.

19. **Outside Commitments During Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service? If so, explain.

No.

20. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

See my SF-278 as provided by the Office of Government Ethics.

21. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

See attached Net Worth Statement.

22. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, affiliations, pending and categories of litigation, financial arrangements or other factors that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Justice's designated agency ethics official to identify potential conflicts of interest. Any potential conflict of interest will be resolved in accordance with the terms of an ethics agreement that I have entered with the Department's designated agency ethics official.

- b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Justice's designated agency ethics official to identify potential conflicts of interest. Any potential conflict of interest will be resolved in accordance with the terms of an ethics agreement that I have entered with the Department's designated agency ethics official.

23. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional work load, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each. If you are not an attorney, please use this opportunity to report significant charitable and volunteer work you may have done.

I have never practiced law. I am, however, involved in efforts to assist the sizable homeless population in our nation's capital through important service ministries at Mt. Vernon Place United Methodist Church in downtown Washington.